



BK 1397 PG 273-278



MISC 2001 13748

RICHARD W. TAKECHI
REGISTER OF DEEDS
COUNTY OF LOS ANGELES

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CITY 3

ORDINANCE NO. 35679

AN ORDINANCE vacating 13th Street from Hartman Avenue North 280 feet; Hartman Avenue East of 13th Street East to the Railroad right-of-way; and, the East/West alley between Ellison Avenue and Hartman Avenue from 13th Street East to the Railroad right-of-way in the City of Omaha and providing the effective date hereof.

WHEREAS, petition representing owners of more than 75 percent of the property abutting on 13th Street from Hartman Avenue North 280 feet; Hartman Avenue East of 13th Street East to the Railroad right-of-way; and, the East/West alley between Ellison Avenue and Hartman Avenue from 13th Street East to the Railroad right-of-way has been filed with the City of Omaha; and,

WHEREAS, said property owners have in and by said petition waived any and all damages that may be occasioned by said vacation.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OMAHA;

Section 1. That 13th Street from Hartman Avenue North 280 feet; Hartman Avenue East of 13th Street East to the Railroad right-of-way; and, the East/West alley between Ellison Avenue and Hartman Avenue from 13th Street East to the Railroad right-of-way, more particularly described as follows:

That part of 13th Street lying North of Hartman Avenue and South of Arthur Storz Expressway located in the Southeast One-Quarter of Section 34, Township 16 North, Range 13 East of the 6th P.M., Douglas County, Nebraska, being more particularly described as follows: Beginning at the Southwest corner of Block "L", the Union Land Company's First Addition; thence N89°59'18"W (assumed bearing) 40.00 feet to the Southeast corner of Lot 4, George Forbes Subdivision and to the West right-of-way line of 13th Street; thence N00°04'49"E 280.02 feet along the East line of said Lot 4 and along said West right-of-way line to the South right-of-way line of Arthur Storz Expressway; thence S89°57'49"E 40.00 feet along said South right-of-way line to the west line of Block "L", the Union Land Company's First Addition, and to the East right-of-way line of 13th Street;

thence S00°04'49"W 280.00 feet along said West line of Block "L" and along said East right-of-way line to the point of beginning; part of Hartman Avenue lying East of 13th Street, located in the Southeast one quarter of Section 34, Township 16 North, Range 13 East of the 6th P.M., of Douglas County, Nebraska, being more particularly described as follows: Beginning at the Northwest corner of Lot 15, Block 2, Cottage Homes Addition, said point being on the East right-of-way line of 13th Street; thence N00°03'22"E (assumed bearing) 29.95 feet along the North extension of the West line of said Lot 15 to a point on the West extension of the North right-of-way line of Hartman Avenue; thence S89°59'18"E 286.05 feet along said North right-of-way line to a point 15.00 feet West of and normal distance to the centerline of the Union Pacific Railroad Company's spur track; thence S00°39'39"W 30.17 feet to the Northeast corner of the West 5.00 feet of Lot 8 Block 2, Cottage Homes Addition, said point being on the South right-of-way line of Hartman Avenue; thence N89°56'38"W 285.73 feet along said right-of-way line to the point of beginning; and, part of the alley in Block 2, Cottage Homes Addition, located in the Southeast One-Quarter of Section 34, Township 16 North, Range 13 East of the 6th P.M., Douglas County, Nebraska, being more particularly described as follows: Beginning at the Northwest corner of Lot 16, Block 2, Cottage Homes Addition, said point being on the South right-of-way line of said alley; thence N00°08'02"E (assumed bearing) and 14.00 feet to the Southwest corner of Lot 15, of said Block 2, said point being on the North right-of-way line of said alley; thence S89°57'31"E 285.73 feet along said North right-of-way line to the Southeast corner of the West 5.00 feet of Lot 8, of said Block 2; thence S00°08'02"W 14.00 feet to the Northeast corner of the West 5.00 feet of Lot 23, of said Block 2, to the South right-of-way line of said alley; thence N89°57'31"W 285.73 feet along said South right-of-way line to the point of beginning, be, and hereby is, vacated; the vacating of the property herein described, and the reversion thereof, pursuant to applicable law, shall be subject to the conditions and limitation that there is reserved to the City of Omaha the right to maintain, operate, repair and renew sewers now existing therein and in the future to construct, maintain, repair and renew additional or other sewers, and also the right to authorize the public utilities and cable television systems to construct, maintain, repair or renew and operate now or hereafter installed water mains and gas mains, pole lines, conduits, electrical transmission lines, sound and signal transmission lines and other similar services and equipment and appurtenances above, on and below the surface of the ground for the purpose of serving the general public or abutting property; and the right so reserved shall also include such lateral connection or branch lines as may be ordered, desired or permitted by the City or such other utility and to enter upon the premises to accomplish the above purposes at any and all times.


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Section 2. That this Ordinance shall be in full force and take effect fifteen (15) days from and after the date of its passage.

INTRODUCED BY COUNCILMEMBER



APPROVED BY:

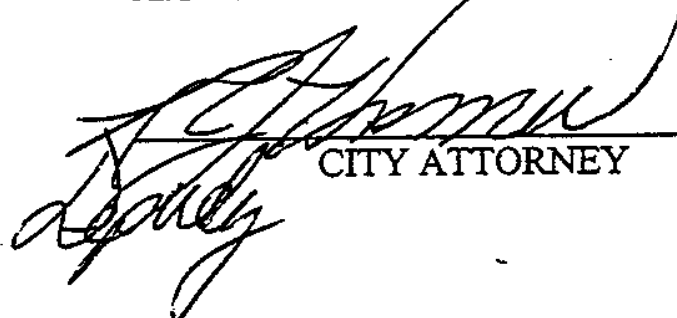

_____ 8/16/01
ACTING MAYOR OF THE CITY OF OMAHA DATE

PASSED AUG 14, 2001 7-0

ATTEST:


_____ 8/16/01
CITY CLERK OF THE CITY OF OMAHA DATE

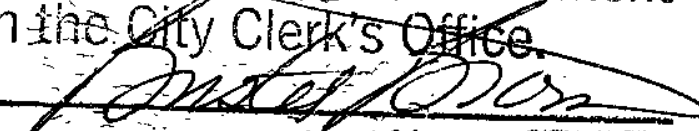
APPROVED AS TO FORM:


_____ 7-16-01
CITY ATTORNEY DATE

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**IMPRINTED CORPORATE SEAL
REGISTER OF DEEDS**

I hereby certify that the foregoing is a true and correct copy of the original document now on file in the City Clerk's Office.


_____ CITY CLERK

BY _____

1943-1961-2005

ORDINANCE NO. 35679

AN ORDINANCE vacating 13th Street from Hartman Avenue North 280 feet; Hartman Avenue East of 13th Street East to the Railroad right-of-way; and, the East/West alley between Ellison Avenue and Hartman Avenue from 13th Street East to the Railroad right-of-way in the City of Omaha and providing the effective date hereof.

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PRESENTED TO COUNCIL

1st Reading JUL 31 2001 - Hearing
8/14/01

Hearing AUG 7 2001 -- Clerk to
8/14/01

Final Reading AUG 14 2001
Passed 7-0

PUBLICATIONS

PUBLICATION OF HEARING

Date _____

PUBLICATION OF ORDINANCE

Date _____

BUSTER BROWN
City Clerk



